

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

WILLIAM H. BUCHANAN,

Plaintiff,

v.

3:07-CV-1114

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

HINMAN, HOWARD & KATTELL, LLP
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Counsel for Plaintiff

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KARLA J. GWINN, ESQ.
Special Assistant U.S. Attorney

NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 17th day of March 2010. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

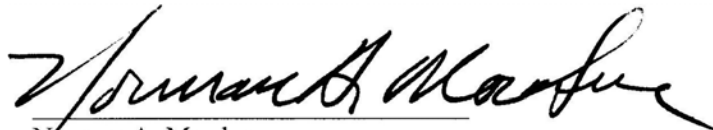
After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The decision of the Commissioner is reversed and the case is remanded to the Commissioner pursuant to sentence four of 42 U.S.C. §405(g) for further administrative proceedings consistent with the Report-Recommendation.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: March 31, 2010
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge